

January 14, 2016

Mr. Don Mitten
Richardson Engineering LLC
30 East Padonia Rd. Suite 500
Timonium, MD 21093

RE: Shirley Ridge
Forest Buffer Variance
Tracking Number: 06-15-2106

Dear Mr. Mitten:

Environmental Impact Review (EIR) has completed a review of the forest buffer variance application received on November 10, 2015 for the above referenced address. This forest buffer variance request proposes to reduce the 35-foot principal structure setback measured from the outer limits of the forest buffer for the development of seven lots (lots 5 through 9, lots 16, 17) in a proposed 17 unit development. A 30-foot primary structure setback is proposed for all 7 lots. Swales to convey stormwater are proposed for construction just outside the forest buffer on all of these lots. No disturbances are proposed within the forest buffer or forest conservation easements.

This Department has reviewed your request, and has determined that neither a practical difficulty nor an unreasonable hardship exists. The forest buffer limits and the 35-foot principal structure setback measured off the outer limits of the forest buffer were determined and approved as part of a development review for the Shirley Ridge subdivision. The rear yard area on these lots is highly constrained by the proposed swales, and further reduction would further prohibit the use of a reasonable backyard. The forest buffer was determined in conformance with the requirements outlined in Baltimore County Code Article 33, Title 3 Protection of Water Quality, Streams, Wetlands and Floodplains. The development plan was approved in September of 2013 and the plat (79/522) recorded in June of 2015. The developer completed the development with these known environmental constraints.

Therefore, in accordance with Section 33-3-106 of the Baltimore County Code, the requested reduction of the 35-foot principal structure setback measured from the outer limits of the forest buffer easement to allow for additional principal structure development area is hereby denied.

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If there are any questions concerning this matter, please contact Patricia M. Farr of my staff at 410-887-3980.

Sincerely yours,

Vincent J. Gardina
Director

VJG: pad